

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re: TIMOTHY DOUGLAS HAYES, : Chapter 7
Debtor : Case No. 16-11983REF

315 BOWERY HOLDINGS, LLC, and :
CBGB FESTIVAL, LLC :
Plaintiffs :
v. : Adv. No. 16-186
TIMOTHY DOUGLAS HAYES, :
Defendant :

ORDER

AND NOW, this 23 day of December, 2016, upon my consideration of the Order I entered today in the main bankruptcy case, No. 16-11983REF, granting the motion filed by Plaintiffs, CBGB Festival, LLC, and 315 Bowery Holdings, LLC, requesting relief from the automatic stay to permit the action currently pending in the New York state court, captioned SW Productions, Inc. v. CBGB Festival, LLC et al., No. 652990/2014 (Sup. Ct. N.Y. County 2014) (the New York action) to proceed to judgment against Defendant/Debtor, Timothy Douglas Hayes,

AND UPON MY FINDING AND CONCLUSION that the interests of justice, comity, and respect for state law dictate that I stay all proceedings in this adversary proceeding pending a final determination and judgment in the New York action, at which time the parties shall return to this court to resume litigation of this adversary proceeding,

IT IS HEREBY ORDERED that all proceedings in this adversary proceeding are STAYED pending a final determination and judgment in the New

York action, at which time the stay imposed by this Order shall automatically be terminated and all proceedings in this adversary proceeding shall resume.

IT IS FURTHER ORDERED that Plaintiffs' Motion To Compel the Deposition of Non-Party Stuart Weissman is HEREBY DENIED as not ripe for disposition in light of (1) the Order in the main bankruptcy case granting relief from the automatic stay to permit the New York action to proceed to judgment against Defendant/Debtor and (2) the decision in this Order staying all proceedings in this adversary proceeding until a final determination and judgment are made in the New York action.

IT IS FURTHER ORDERED that the parties shall file a Joint Status Report on **March 1, 2017, and on the first day of every other month thereafter**, in which they outline the status of the New York action.

BY THE COURT

A handwritten signature in black ink, appearing to read 'RICH E. FEHLING', with a horizontal line drawn underneath it.

RICHARD E. FEHLING

United States Bankruptcy Judge